

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF TEXAS

**Request for Modifying the Conditions or Term of Supervision
With Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Lennon Ray Brown Case No.: 3:15-CR-00452-N(1)
 Name of Sentencing Judge: U.S. District Judge David C. Godbey
 Date of Original Sentence: July 25, 2016 (vacated); Resentenced on April 2, 2018
 Original Offense: Intentional Damage To A Protected Computer, in violation of 18 U.S.C. § 1030(a)(5)(A), (C)(4)(A)(i)(I) & (B)
 Original Sentence: 21 months custody, 24-month term of supervised release (vacated); Resentenced to Time Served, 18-month term of supervised release
 Type of Supervision: Supervised Release Date Supervision Commenced: April 2, 2018
 Assistant U.S. Attorney: Candina S. Heath Defense Attorney: Ira H. Chenkin
 (Court appointed)

Petitioning The Court As Follows:

To add to the conditions of supervision with the consent of the offender as follows:

The defendant shall submit to periodic unannounced examinations of his/her computer/computers, storage media, and/or other electronic or Internet-capable devices, performed by the probation officer at reasonable times and in a reasonable manner based on reasonable suspicion of contraband evidence of a violation of supervision. This may include the retrieval and copying of any prohibited data and/or the removal of such system for the purpose of conducting a more thorough inspection. The defendant shall provide written authorization for release of information from the defendant's Internet service provider.

The defendant shall not use any computer other than the one the defendant is authorized to use, without prior approval from the probation officer.

The defendant shall not use any software program or device designed to hide, alter, or delete records and/or logs of the defendant's computer use, Internet activities, or files stored on the defendant's computer.

The defendant shall not use or own any device which allows Internet access other than authorized by the U.S. Probation Office. This includes, but is not limited to, PDA's, electronic games, and cellular/digital telephones.

Cause

Lennon Ray Brown began his term of supervised release on April 2, 2018 in the Northern District of Texas. As a special condition of supervised release, it was ordered that Mr. Brown participate and comply with the requirements of the Computer and Internet Monitoring Program. In consulting with Senior U.S. Probation Officer and Cybercrime Specialist Jamil Tirhi, it was determined that the above-referenced special conditions are necessary in order for the U.S. Probation Office to adequately enforce the order of the Court.

The authority to seize the computer without notice in the event suspicious activity is discovered in the course of monitoring is essential in ensuring the safety of the community; this would allow the U.S. Probation Office to immediately seize and further investigate any potential suspicious activity.

In order to adequately monitor Mr. Brown's computer and internet usage, it is important that he not be allowed to use any computer that has not been previously approved by the U.S. Probation Office. Additionally, it is essential that Mr. Brown not be allowed to use any software program or device designed to hide, alter, or delete records/logs of his internet and computer use.

It is respectfully recommended that the above-referenced conditions be added in order to enhance the ability of the U.S. Probation Office to enforce the order of the Court and ensure the safety of the community. Mr. Brown has agreed to voluntarily comply with the above-referenced conditions, therefore, it is recommended the Court modify the terms of supervised release to include the above noted condition.

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on April 13, 2018

Approved,

s/Lacey Goodson

U.S. Probation Officer
Arlington
Phone: 817-505-1731
Fax: 817-649-5954

s/Adam Morton

Supervising U.S. Probation Officer
Phone: 214-765-4055

Order of the Court:

- No Action
- The extension of supervision as noted above.
- To add to the conditions of supervision.

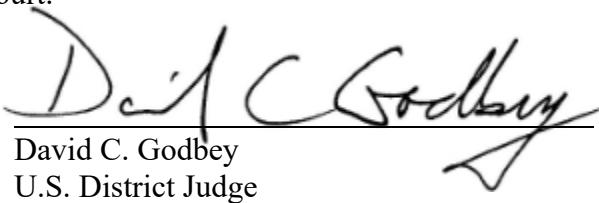
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- Other or Additional:
- File under seal until further order of the Court.



David C. Godbey
U.S. District Judge

April 13, 2018

Date

LG

*Attachment

**UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF TEXAS**

**Waiver of Hearing to Modify Conditions of Supervised Release
or Extend Term of Supervision**

United States of America

v.

Case No.: 3:15-CR-00452-N(1)

Lennon Ray Brown

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

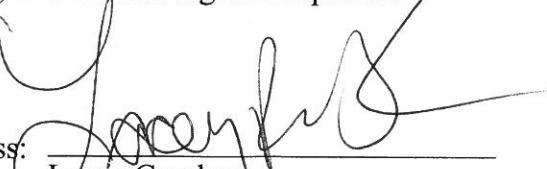
The defendant shall submit to periodic unannounced examination of his/her computer(s), storage media, and/or other electronic or Internet-capable device performed by the probation officer at a reasonable time and in a reasonable manner based on reasonable suspicion of contraband evidence of a violation of supervision. This may include the retrieval and copying of any prohibited data and/or the removal of such system for the purpose of conducting a more thorough inspection. The defendant shall provide written authorization for release of information from the defendant's Internet service provider.

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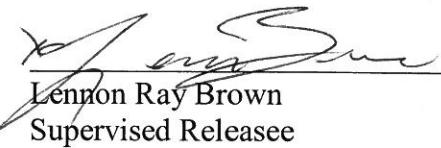
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Witness:


Lacey Goodson
U.S. Probation Officer

Signed:


Lennon Ray Brown
Supervised Releasee

Date: April 12, 2018